UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II

AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

PERMIT NUMBER
PR0021661

In compliance with the provisions of the Clean Water Act, as amended, 33 U.S.C. §1251 et. seq. (the "Act"),

Puerto Rico Aqueduct and Sewer Authority
P.O. Box 7066
Barrio Obrero Station
San Juan, Puerto Rico 00916

hereinafter referred to as "the Permittee" is authorized to discharge from a facility located at

Yauco Wastewater Treatment Plant
Yauco, Puerto Rico

to receiving waters named **Yauco River** in accordance with effluents limitations, monitoring requirements and other conditions set forth herein (**22 pages**) and in the Attachments (**15 pages),** which is part hereof.

This permit shall become effective on EDP, which is the effective date of the permit (EDP).

This permit and the authorization to discharge shall expire on EDP + 5 years.

Signed this _____ day of _____.

_____

Carl-Axel P. Soderberg, P.E.
Director
Caribbean Environmental
Protection Division

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. Required Effluent Limitations

During the period beginning on the effective date and lasting until the expiration date of this permit, discharges from outfall 001* shall be limited and monitored by the permittee as specified below:

a. Permittee shall achieve water quality requirements as determined by the Commonwealth of Puerto Rico. See EQB water quality certificate requirements.

b. See Table A-1.

* The location of outfall 001 is as follows:

Latitude 18 º 01' 38 " North
Longitude 66 º 50' 29 " West

TABLE I
REQUIRED EFFLUENT LIMITATIONS

EFFLUENT CHARACTERISTICS	DISCHARGE LOAD ALLOCATIONS		DISCHARGE CONCENTRATIONS LIMITATIONS		MINIMUM PERCENT REMOVAL LIMITATION
	Average Monthly	Average Weekly	Average Monthly	Average Weekly	Average Monthly
	(kg/day)	(kg/day)	(mg/l)	(mg/l)	
5-Day-20ºC Biochemical Oxygen Demand[1]	39	352	5.0*	45.0	85%
Suspended[1] Solids	235	352	30.0	45.0	85%

Flow shall be reported as a monthly average and daily maximum.
Measurement frequency shall be continuous

1 Measurement frequency shall be weekly using composite sampling.

* As established in EQB's Intent to Issue a Water Quality Certificate.

2. Environmental Quality Board Certification Requirements

As required by the Puerto Rico Environmental Quality Board (EQB) Intent to Issue Water Quality Certification of September 18, 2006, for the purpose of assuring compliance with EQB's water quality standards and other appropriate requirements of Commonwealth law as provided by Section 401(d) of the Act, the permittee shall comply with the following effluent limitations and other limitations:

See pages 5 through 15.

TABLE A-1 **EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS**

During the period beginning on the EDP and lasting through the expiration date of the permit, the permittee is authorized to discharge from outfall serial number 001 (secondary treated wastewaters). Such discharge shall be limited and monitored by the permittee as specified below:

Receiving Water Classification: SD

Effluent Characteristics	**Gross Discharge Limitation**		**Monitoring Requirements**	
	Monthly Average	Daily Maximum	Measurements Frequency	Sample Type
2,4,6-Trichlorophenol (µg/l) [2,3]		---	α	Grab
2,4-Dichlorophenol (µg/l) [2,3]		---	α	Grab
2,4-Dimethylphenol (µg/l) [2,3]		---	α	Grab
2,4-Dinitrophenol (µg/l) [2,3]		---	α	Grab
2-Chlorophenol (µg/l) [2,3]		---	α	Grab
2-Methyl-4,6-Dinitrophenol (µg/l) [2,3]		---	α	Grab
Arsenic (As) (µg/l) [2,3] **		0.18	Monthly	Grab
BOD_5 (mg/l) [1,2,3]	See Table I, (page 3)		Twice per Week	Composite
Cadmium (Cd) (µg/l) [2,3]		2.46	Quarterly	Grab
Color (Pt-Co Units) [2,3]		15	Monthly	Grab
Copper (Cu) (µg/l) [2,3]		9.33	Monthly	Grab
Cyanide, Free (CN) (µg/l) δ [2,3]		5.2	Monthly	Grab

Effluent Characteristics	**Gross Discharge Limitation**		**Monitoring Requirements**	
	Monthly Average	Daily Maximum	Measurements Frequency	Sample Type
Dissolved Oxygen (mg/l) [1,2,3]	Shall not be less than 5.0.		Daily	Grab
Fecal Coliforms (colonies/100 ml) [1,2,3]	The Coliform geometric mean of a series of representative samples (at least five samples) of the waters taken sequentially shall not exceed 200 colonies/100 mL, and not more than 20% of the samples shall exceed 400 colonies/100 mL.		Monthly	Grab
Flow m^3/day (MGD) [1,3,4]		7,828.23 (2.068)	Continuous Recording	
Fluoride (F) (µg/l) [2,3]		700	Annually	Grab
Lead (Pb) (µg/l) [2,3]		3.2	Monthly	Grab
Mercury (Hg) (µg/l) [2,3] **		0.050	Monthly	Grab
Nitrate + Nitrite (µg/l) [2,3]		10,000	Monthly	Grab
Oil & Grease (mg/l) [2,3]	The waters of Puerto Rico shall be substantially free from floating non-petroleum oils and greases as well as petroleum derived oils and greases.		Twice per Month	Grab
Pentachlorophenol (µg/l) [2,3]		---	α	Grab
pH (SU) [2,3]	Shall always lie between 6.0 and 9.0.		Daily	Grab
Phenol (µg/l) [2,3]		---	α	Grab
Residual Chlorine (mg/l) [2,3] *		0.50	Daily	Grab
Selenium (Se) (µg/l) [2,3]		5.0	Monthly	Grab
Silver (Ag) (µg/l) [2,3]		4.1	Quarterly	Grab

Effluent Characteristics	**Gross Discharge Limitation**		**Monitoring Requirements**	
	Monthly Average	Daily Maximum	Measurements Frequency	Sample Type
Solids and Other Matter [2,3]	The waters of Puerto Rico shall not contain floating debris, scum or other floating materials attributable to the discharge in amounts sufficient to be unsightly or deleterious to the existing or designed uses of the water body.		----	----
Sulfide (Undissociated H_2S) (µg/l) γ [2,3]		2	Monthly	Grab
Surfactants (as MBAS) (µg/l) [1,2,3]		100	Monthly	Grab
Suspended, Colloidal or Settleable Solids (ml/l) [1,2,3]	Solids from wastewater source shall not cause deposition in, or be deleterious to the existing or designated uses of the waters.		Daily	Grab
Taste and Odor-producing Substances [2,3]	Shall not be present in amounts that will interfere with the use for potable water supply, or will render any undesirable taste or odor to edible aquatic life.		----	----
Temperature ^{o}F (^{o}C) [2,3]	No heat may be added to the waters of Puerto Rico which would cause the temperature of any site to exceed 90^{o}F (32.2^{o}C).		Daily	Grab
Total Coliforms (colonies/100 ml) [1,2,3]	The Coliforms geometric mean of a series of representative samples (at least five samples) of the water taken sequentially shall not exceed 10,000 colonies/100 mL.		Monthly	Grab
Total Dissolved Solids (mg/l) [2,3]		500	Monthly	Grab

Effluent Characteristics	**Gross Discharge Limitation**		**Monitoring Requirements**	
	Monthly Average	Daily Maximum	Measurements Frequency	Sample Type
Total Suspended Solids (mg/l) [3]	See Table I, (page 3)		Weekly	Composite
Turbidity (NTU) [2,3]		50	Monthly	Grab
Zinc (Zn) (µg/l) [2,3]		119.82	Monthly	Grab
Special Conditions	See attached sheet, which contains special conditions that constitute part of this certification.			

Notes:

To comply with the monitoring requirements specified above, samples shall be taken at the outfall of discharge serial number 001.
All flow measurements shall achieve accuracy within the range of plus or minus 10%.

* See Special Conditions 2 and 3.
** See Special Condition 4.
δ See Special Condition 5.
α See Special Condition 6.
γ See Special Condition 7.

1, 2, 3, 4 and 5, see page 15 of Special Conditions.

SPECIAL CONDITIONS

1. The flow of discharge 001 shall not exceed the limitation of 7,828.23 m^3/day (2.068 MGD) as daily maximum. No increase in flow shall be authorized without a re-certification from the Puerto Rico Environmental Quality Board (EQB). [1,4]

2. No toxic substances shall be discharged, in toxic concentrations, other than those allowed as specified in the NPDES permit. Those toxic substances included in the Permit Renewal Application, but not regulated by the permit, shall not exceed those concentrations as specified in the applicable regulatory limitations. [1,2]

3. The waters of Puerto Rico shall not contain any substance attributable to discharge 001 at such concentration which, either alone or as result of synergistic effects with other substances, is toxic or produces undesirable physiological responses in human, fish or other fauna or flora. [2]

4. The sample taken for the analysis of arsenic and mercury shall be analyzed using the analytic method approved by the Environmental Protection Agency (EPA) with the lowest possible detection level, in accordance with Section 6.8 of the Puerto Rico Water Quality Standards Regulation (PRWQSR), as amended. [1,3]

5. Within thirty (30) days after the Effective Date of the NPDES Permit (EDP), PRASA shall submit, for EPA approval, a modified method to analyze Free Cyanide with a detection level lower than the applicable water quality standard (1 µg/L). No later than sixty (60) days after the EPA approval of such method, PRASA should take Free Cyanide samples at the sampling point for discharge 001, according to requirements of Table A-1.

6. The permittee shall implement a monthly monitoring program for discharge 001, using the analytic method approved by EPA with the lowest possible detection level, in accordance with Section 6.2.3 of the PRWQSR, as amended, for one (1) year period after which they will be conducted annually, for the following parameters:

Parameter	**Unit**	**Type**
2,4,6-Trichlorophenol	µg/L	Grab
2,4-Dichlorophenol	µg/L	Grab
2,4-Dimethylphenol	µg/L	Grab
2,4-Dinitrophenol	µg/L	Grab
2-Chlorophenol	µg/L	Grab
2-Methyl-4,6-Dinitrophenol	µg/L	Grab
Pentachlorophenol	µg/L	Grab
Phenol	µg/L	Grab

The monitoring program shall commence no later than thirty (30) days after the EQB's written approval of the Quality Assurance Project Plan (QAPP). The QAPP must be submitted for

evaluation and approval of EQB no later than thirty (30) days after the Effective Date of the Permit (EDP). The results of the monitoring program shall be submitted to EQB and EPA not later than sixty (60) days after completion of the one (1) year monitoring program. Based on the evaluation of the results obtained, EQB will determine if an effluent limitation is necessary for one (1) or more of the aforementioned parameters. In such case the WQC will be reopened to include an effluent limitation for any of the aforementioned parameters if considered necessary. [2,3]

7. The permittee shall use the approved EPA analytical method, with the lowest possible detection limit, in accordance with the Code of Federal Regulations Number 40 (40 CFR) Part 136 for Sulfide (as S). Also, the permittee shall complete the calculations specified in Method 4500-S^{-2} F, Calculation of Un-ionized Hydrogen Sulfide, of Standards Methods 18th Edition, 1992, to determine the concentration of undissociated H_2S. If the sample results of Dissolved Sulfide are below the detection limit of the approved EPA method established in the 40 CFR Part 136, then, the concentration of undissociated H_2S shall be reported as "below detection limit". [1,3]

8. All sample collection, preservation, and analysis shall be carried out in accordance with the Code of Federal Regulation (CFR) Number 40, Part 136. All chemical analyses shall be certified by a licensed chemist authorized to practice the profession in Puerto Rico. All bacteriological tests shall be certified by a licensed microbiologist or medical technologist authorized to practice the profession in Puerto Rico. [1,3]

9. The solid wastes (sludge, screenings and grit) generated due to the operation of the treatment system shall be:

   a. Disposed in compliance with the applicable requirements established in the 40 CFR Part 257. A semiannual report shall be submitted to EQB and EPA notifying the method or methods used to dispose the solid wastes generated in the facility. Also, copy of the approval or permit applicable to the disposal method used shall be submitted, if any.

   b. Transported adequately in such way that access is not gained to any body of water or soil. In the event of a spill of solid waste on land or into a body of water, the permittee shall notify the Point Sources Permits Division of EQB's Water Quality Area in the following manners:
      1) By telephone communication within a term no longer than twenty four (24) hours after the spill [(787) 767-8073].

      2) By letter, within a term no longer than five (5) days after the spill.

      These notifications shall include the following information:

         a) spill material,
         b) spill volume,

c) measures taken to prevent the spill material to gain access to any body of water.

This special condition does not relieve the permittee from its responsibility to obtain the corresponding permits from the EQB's Solid Wastes Program and other state and federal agencies, if any. [3,5]

10. A log book should be kept for the material removed from Yauco Wastewater Treatment Plant (solids wastes as sludge, screenings and grit) detailing the following items:

    a. Removed material, date and source of it.
    b. Approximate volume and weight.
    c. Method by which it is removed and transported.
    d. Final disposal and location.
    e. Person that offers the service.

    A copy of the Non Hazardous Solid Waste Collection and Transportation Service permit issued by the authorized official from the EQB should be attached to the logbook. [3]

11. The sludge produced within the facility due to the operation of the treatment system shall be analyzed and all constituents shall be identified as required by "Standards for the Use or Disposal of Sewage Sludge" (40 CFR, Part 503). The sludge shall be disposed properly in such manner that water pollution or other adverse effects to surface waters or to ground water do not occur. [3,5]

12. If any standard or prohibition to the sanitary sludge disposal is promulgated and said prohibition or standard is more stringent than any condition, restriction, prohibition or standard contained in the NPDES permit, such permit shall be modified accordingly or revoked and reissued to be adjusted with regard to such prohibition or standard. [5]

13. No changes in the design or capacity of the treatment system will be permitted without the previous authorization of EQB. [4]

14. Prior to the construction of any additional treatment systems or prior to the modification of the existing one, the permittee shall obtain the approval of the engineering report, plans and specifications from EQB. [4]

15. The permittee shall install, maintain and operate all water pollution control equipment in such manner as to be in compliance with applicable Rules and Regulations. [2,3]

16. The flow measurement device for the discharge 001 shall be periodically calibrated and properly maintained. Calibration and maintenance records must be kept in compliance with applicable Rules and Regulations. [3,4]

17. The sampling point for discharge 001 shall be located immediately after the primary flow-measuring device of the effluent of the treatment system.

18. The sampling point for discharge 001 shall be labeled with a 18 inches x 12 inches (minimum dimension) sign that reads as follows:

"Punto de Muestreo para la Descarga 001"

19. All water and wastewater treatment facilities, whether publicly or privately owned, must be operated by a person licensed by the Potable Drinking Plant and Wastewater Treatment Plant Operators Examining Board of the Commonwealth of Puerto Rico. [2]

20. The permittee shall conduct quarterly acute toxicity tests, for a period of one (1) year, of its wastewater discharge through outfall serial number 001 in accordance with the following:

    a. The toxicity tests shall be conducted in accordance with the EPA publication, EPA-821-R-02-012 Methods for *Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms* (Fifth Edition), October 2002, or the most recent edition of this publication, if such edition is available.

    b. The tests shall provide a measure of the acute toxicity as determined by the wastewater concentration, which cause 50 percent mortality of the organisms over a 48 hour period. Test results shall be expressed in terms of *Lethal Concentration* (LC) and reported as 48 hour LC50.

    c. The test species should be the *Fathead Minnow* (Pimephales promelas) and *Cladocera* (Daphnia magna). The test should be static renewal type.

    d. A procedure report shall be submitted ninety (90) days after the effective date of the NPDES permit (EDP). The following information shall be included in the procedure report:

        1. An identification of the organizations responsible for conducting the test and the species to be tested.

        2. A detailed description of the methodology to be utilized in the conduct of the tests, including equipment, sample collection, dilution water and source of test organisms.

3. A schematic diagram which depicts the effluent sampling location. The diagram shall indicate the location of effluent sampling in relation to wastewaters treatment facility and discharge monitoring point.

e. The tests shall be conducted quarterly for a period of one (1) year and shall commence not later than one hundred eighty (180) days after EDP. The results shall be submitted to EPA Region II and EQB within sixty (60) days of completion of each test. Based on a review of the test results, EPA or the EQB may require additional toxicity tests, including chronic toxicity analyses. In addition to submitting the procedures report and test results to the addresses listed in Part I.B. of this permit, results shall be submitted to:

MUNICIPAL WATER PROGRAM BRANCH
CARIBBEAN ENVIRONMENTAL PROTECTION AGENCY
U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION II
1492 PONCE DE LEON AVE. SUITE 417
CENTRO EUROPA BUILDING
SAN JUAN, PUERTO RICO 00907
NEW YORK, NEW YORK 10007-1866

f. Reopener Clause for Toxicity Testing Requirements
Based on a review of the test results, the Regional Administrator of EPA or the EQB can require additional toxicity tests, including chronic tests and toxicity/treatability studies, and may impose toxicity limitations. This permit may be reopened by EPA to include such requirements as enforceable permit conditions.

21. The discharge 001 shall not cause the presence of oil sheen in the receiving water body. [2]

22. If a significant industrial user (SIU) as defined at 40 CFR §403.3(f) is identified, PRASA shall perform a written technical evaluation of the need to revise local limits for the **Yauco wastewater treatment plant** in accordance with 40 CFR 403.5(c)(1). The schedule for the providing written reports documenting the local limits technical evaluation shall not exceed:

a. Three (3) months after identification of a SIU: Analysis of the maximum allowable headworks (MAHL) to the plant based on final permit limits for pollutants listed in **Tables A-1 and A-2**, water quality, sludge standards, and any additional pollutants necessary to prevent pass through and interference. The headworks analysis must include an explanation of the removal capabilities of plant.

b. Six (6) months after identification of a SIU: Local limits technical evaluation

based on MAHL, domestic loading, and proposed allocation to non-domestic sources

c. Nine (9) months after identification of a SIU: Proposed revisions to local limits (if indicated by technical evaluation) & implementation plan not to exceed EDP + 12 months; If PRASA public notices the local limits, the report shall include results of the public notice and response to comments.

d. Twelve (12) months after identification of a SIU: Include revised local limits (if indicated by technical evaluation) in permits issued to non-domestic users of the sewerage system.

1, 2, 3, 4 and 5 see next page

1. According to Article 1, Water Quality Standards Regulation as amended.

2. According to Article 3, Water Quality Standards Regulation as amended.

3. According to Article 6, Water Quality Standards Regulation as amended.

4. According to the Environmental Public Policy Act of September 22, 2004, Act No. 416.

5. According to the Section 405 (d) (4) of the Federal Clean Water Act as amended (33 U.S.C 466 et. seq.).

B. PROHIBITED DISCHARGE STANDARDS

Pursuant to Section 307 of the Act and regulations promulgated thereafter at 40 CFR 403.5, the permittee shall under no circumstances allow the introduction of the following pollutants into the POTW (publicly-owned treatment works):

1. Pollutants which create a fire or explosion hazard in the POTW, including, but not limited to, waste streams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade using the test methods specified in 40 CFR 261.21;

2. Pollutants which will cause corrosive structural damage to the POTW, but in no case discharges with pH lower than 5.0, unless the work is specifically designed to accommodate such discharges;

3. Solid or viscous pollutants in amounts which will cause obstruction to the flow in sewers, or other interference with the operation of the POTW;

4. Any pollutant, including oxygen demanding pollutants (BOD, etc.), released in a discharge of such volume or strength as to cause interference in the POTW;

5. Heat in amounts which will inhibit biological activity in the POTW resulting in interference but in no case heat in such quantities that the temperature at the treatment works influent exceeds 40°C (104°F);

6. Petroleum oil, non biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through;

7. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;

8. Any trucked or hauled pollutants, except at discharge points designated by the POTW.

C. PRETREATMENT PROGRAM

l. Pretreatment Program Requirements

The permittee shall implement an Industrial Pretreatment Program in accordance with Section 402(b)(8) of the Clean Water Act, the General Pretreatment Regulations (40 CFR Part 403), and the legal authorities, policies, procedures, and financial provisions described in the permittee's approved pretreatment program. The pretreatment

program submission entitled "Puerto Rico Aqueduct and Sewer Authority Pretreatment Program", dated August 1985 was approved on September 26, 1985. The permittee's pretreatment program is hereby incorporated by reference and shall be implemented in a manner consistent with the following requirements:

(a) The permittee shall develop and enforce specific limits to implement the prohibitions listed in 40 CFR 403.5 (a)(1) and (b). Each POTW with an approved pretreatment program shall continue to develop these limits as necessary and effectively enforce such limits.

(b) The permittee shall control through permit, order or similar means, the contribution to the POTW by each industrial user to ensure compliance with applicable Pretreatment Standards and Requirements. In the case of industrial users identified as significant under 40 CFR 403.3(t), this control shall be achieved through permits or equivalent individual control mechanisms issued to each such user. Such control mechanisms must be enforceable and contain at a minimum a statement of duration (not to exceed 5 years), effluent limitations, sampling protocols, compliance schedule if appropriate, reporting requirements, and appropriate standard conditions.

(c) The permittee shall maintain and update industrial user information at a frequency adequate to ensure proper identification of industrial users subject to pretreatment standards, appropriate characterization of the nature of their discharges, and correct designation of industrial users.

(d) The permittee shall evaluate at least once every two years, whether each significant industrial user needs a plan to control slug discharges. If a slug control plan is needed, it shall contain at least the minimum elements required in 40 CFR 403.8(f)(2)(v).

(e) The permittee shall enforce and obtain remedies for noncompliance by any industrial users with applicable pretreatment standards and requirements.

(f) In keeping with the requirements of 40 CFR 403.8(f)(2)(v), the permittee must inspect and sample the effluent from each significant industrial user at least once per year. This is in addition to any industrial self-monitoring activities.

2. Pursuant to 40 CFR 403.5(e), whenever, on the basis of information provided to the Director, Division of Enforcement and Compliance Assistance, U.S. Environmental Protection Agency, it has been determined that any source contributes pollutants in the permittee's treatment works in violation of subsection (d) of Section 307 of the Clean Water Act, notification shall be provided to the permittee. Failure by the permittee to

commence an appropriate enforcement action within 30 days of this notification may result in appropriate enforcement action against the source and permittee.

3. Sampling

The permittee shall conduct all sampling specified in this permit and the approved pretreatment program.

4. Pretreatment Report

The permittee shall provide to the U.S.EPA Region II an annual report that briefly describes the permittee's program activities over the previous twelve months. The Agency may modify, without formal notice, this reporting requirement to require less frequent reporting if it is determined that the data in the report does not substantially change from year to year. The permittee must also report on the pretreatment program activities of all participating agencies. This report shall be submitted to the address cited in Part I section B.2. of this permit no later than December 1 of each year for the period covering September 1 through August 31 of the preceding year and shall include:

(a) An updated industrial survey, as appropriate.

(b) Results of any wastewater sampling conducted in accordance with the approved Pretreatment Program and General Pretreatment Regulations. In addition, the permittee shall provide an analysis and discussion as to whether the existing local limitations specified in Section 5.02 and Appendix A of the Puerto Rico Aqueduct & Sewer Authority Rules and Regulations for the Supply of Water and Sewer Service continue to be appropriate to prevent treatment plant interference, pass through of pollutants that could affect water quality, and sludge contamination. Such an analysis would be based on an updated industrial user inventory and any headwork priority pollutant scan.

(c) Status of Program implementation to include:

i. Any proposed substantial modifications to the pretreatment program as originally approved by USEPA to include but not limited to; local limitations, special agreements, and staffing and funding updates.
ii. Any interference, upset or permit violations experienced at any of the POTW directly attributable to industrial users.

iii. Listing of significant industrial users issued Industrial Discharge Permits.

iv. Listing of significant industrial users inspected and/or monitored during the previous reporting period and summary of results.

v. Listing of significant industrial users planned for inspection and/or monitoring for the next reporting period along with inspection frequencies.

vi. Listing of significant industrial users notified of promulgated pretreatment standards, local standards or any applicable requirements under Section 405 of the Clean Water Act and Subtitle C and D of the Resource Conservation and Recovery Act, as required in 40 CFR Part 403.8(f)(2)(iii).

vii. Listing of significant industrial users notified of promulgated pretreatment standards or applicable local standards who are on compliance schedules. The listing should include for each facility the final date of compliance.

viii. Planned changes in the implementation program.

(d) Status of enforcement activities to include:

i. Listing of categorical industrial users, who failed to submit baseline reports or any other reports as specified in 40 CFR 403.12(d) and in Section 5.05 of the Puerto Rico Aqueduct & Sewer Authority Rules and Regulations for the Supply of Water and Sewer Service.

ii. Listing of significant industrial users not complying with Federal or local pretreatment standards as of the final compliance date.

iii. Summary of enforcement activities taken or planned against non-complying industrial users. The permittee shall publish, at least annually in the largest daily newspaper within the permittee's service area, a list of significant industrial users which, during the previous twelve months were in significant noncompliance with the applicable pretreatment standards or requirements. Significant noncompliance shall be determined based upon the more stringent of either criteria established at 40 CFR Part 403.8(f)(vii) or criteria established in the permittee's approved pretreatment program.

5. The permittee shall notify EPA 60 days prior to any major proposed changes in its existing sludge disposal practices.

6. The permittee shall provide adequate staff, equipment, and support capabilities to carry out the elements of the pretreatment program.

7. The permittee shall provide notice to EPA of the following:

   (a) Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to section 301 or 306 of the CWA if it were directly discharging those pollutants; and

   (b) Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.

   (c) For purposes of this paragraph, adequate notice shall include information on:

      i. the quality and quantity of effluent introduced into the POTW,

         and

      ii. any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

D. SEWAGE SLUDGE REQUIREMENTS

1. Reopener: If an applicable "acceptable management practice" or numerical limitation for pollutants in sewage sludge promulgated under Section 405(d)(2) of the Clean Water Act as amended by the Water Quality Act of 1987 is more stringent than the sludge pollutant limit or acceptable management practice in this permit, or controls a pollutant not limited in this permit, this permit shall be promptly modified or revoked and reissued to conform to the requirements promulgated under Section 405(d)(2). The permittee shall comply with limitations by no later than the compliance deadline specified in the applicable regulations as required by Section 405(d)(2)(D) of the Clean Water Act.

2. Cause for modification. 40 CFR §122.62 (a)(1) provides that the permit may be modified (but not revoked and reissued except when the permittee requests or agrees) where there are material and substantial changes or additions to the permitted facility or activity, including a change or changes in the permittee's sludge use or disposal practice, which occurred after permit issuance which justify the application of permit conditions that are different or absent in the existing permit.

3. If the permittee generates sewage sludge and supplies that sewage sludge to the owner or operator of a Municipal Solid Waste Landfill (MSWLF) for disposal, the permittee shall provide to the owner or operator of the MSWLF appropriate information needed to be in compliance with the provisions of this permit.

4. The permittee shall comply with 40 CFR Part 503. In accordance with 40 CFR Part 503.4, treatment works sending sewage sludge to a MSWLF shall meet the requirements of Part 258, that is, ensure that the sewage sludge is non-hazardous and non-liquid (ie., it passes the Paint Filter Liquids Test).

5. Sewage sludge shall be evaluated (*See below) for hazardous waste characteristics specified at 40 CFR Part 261 Subpart C. Sludge shall be tested after final treatment prior to leaving the POTW site. Sewage sludge determined to be a hazardous waste in accordance with 40 CFR Part 261, shall be handled according to RCRA standards for the disposal of hazardous waste in accordance with 40 CFR Part 262. The disposal of sewage sludge determined to be a hazardous waste, in other than a certified hazardous waste disposal facility shall be prohibited. If the sludge is determined to be a hazardous waste, the RCRA Compliance Branch (telephone no. (212) 637-4144) and EQB shall be notified within twenty four (24) hours. In addition, a written report shall be provided to EPA within seven (7) days of such determination. The report shall contain test results, certification that unauthorized disposal has not occurred and a summary of alternative disposal plans that comply with RCRA standards for the disposal of hazardous waste. The report shall be addressed to: Branch Chief, RCRA Compliance Branch, Division of Enforcement and Compliance Assistance, EPA Region 2, 290 Broadway, New York, New York 10007-1866. A copy of this report shall be sent to the Chief, Enforcement and Superfund Branch, Caribbean Environmental Protection Division, Centro Europa Building - Suite 417, 1492 Ponce de León Ave., San Juan, and PR 00907-4127. After the sewage sludge has been monitored for two years and if it has not been determined to be a hazardous waste, the monitoring frequency shall be once per year.

6. Sewage sludge shall be tested (*See below) in accordance with the method 9095 (Paint Filter Liquids Test) as described in "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods" (EPA Pub. No. SW-846). After the sewage sludge has been monitored for two years and has passed the paint filter tests, the monitoring frequency shall be once per year.

7. The permittee shall comply with 40 CFR Part 503, which requires preparers of sewage sludge to submit annual reports no later than February 19 of every year. The annual report shall include the following information:

a. Amount of sludge generated, in dry metric tons.

b. Use or disposal practices.

c. Amount of sludge that goes to each use or disposal practice.

d. The name and address of the Municipal Solid Waste Landfill.

e. Results of the hazardous waste determination (per 40 CFR Part 261) conducted on the sludge to be disposed.

f. Results of the Paint Filter Liquids Test conducted on the sludge to be disposed.

The report shall be submitted to the Chief, Caribbean Section, Water Compliance Branch, 290 Broadway, 20th Floor, New York, NY 10007-1866 and to the Director, Caribbean Environmental Protection Division, Centro Europa Building - Suite 417, 1492 Ponce de León Avenue, San Juan, PR 00907-4127.

* **Monitoring Requirements**

Amount of Sludge (Metric Tons per 365-day Period)	Monitoring Frequency
Less than 290	Once per year
Equal to or greater than 290 but less than 1,500	Twice per year
Equal to or greater than 1,500	Once per quarter